

**SENATE JOURNAL
63RD LEGISLATURE
EIGHTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
April 24, 2013

Senate Chambers
State Capitol

Senate convened at 10:16 a.m. President Essmann presiding. Invocation by Father Jerry Lowney. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS AND JOURNALS (Buttrey, Chair):

4/25/2013

Mr. President: We, your committee on Bills and Journals, having examined the daily journals for the seventy-sixth through eighty-second legislative days, find the same to be correct.

Correctly enrolled: **SB 28, SB 81, SB 96, SB 148, SB 198, SB 215, SB 223, SB 297, SB 305, SB 323, SB 335, SB 342, SB 348, SB 394, SJR 15, SJR 18.**

Examined by the sponsor and found to be correct: **SB 394.**

Transmitted to the House: **HB 633, HJR 25, HJR 26, HJR 30.**

Signed by the President at 9:30 a.m., April 23, 2013: **SB 175.**

Signed by the Speaker at 11:50 a.m., April 24, 2013: **SB 175.**

Signed by the President at 4:00 p.m., April 23, 2013: **SB 23, SB 44, SB 117, SB 162, SB 196, SB 217, SB 226, SB 231, SB 240, SB 370, SB 386, SB 401, SJR 14, SJR 15, SJR 20, SJR 22, SJR 23, SJR 24, SR 43, SR 46, SR 48, SR 51, SR 52, SR 53, SR 56, SR 57, SR 59, SR 60.**

Signed by the Secretary of the Senate at 7:40 a.m., April 24, 2013: **SB 201, SB 264, SB 265, SB 280, SB 369, SB 392, SJR 26, SR 31, SR 55, SR 61, SR 62, SR 72.**

Signed by the Secretary of the Senate at 8:25 a.m., April 24, 2013: **SB 101, SB 256, SR 73, SR 74, SR 76.**

Signed by the President at 8:30 a.m., April 24, 2013: **SB 101, SB 201, SB 256, SB 264, SB 265, SB 280, SB 369, SB 392, SJR 26, SR 31, SR 55, SR 61, SR 62, SR 72, SR 73, SR 74, SR 76.**

Signed by the Secretary of the Senate at 11:16 a.m., April 24, 2013: **SB 81.**

Signed by the President at 11:18 a.m., April 24, 2013: **SB 81.**

Signed by the Speaker at 11:25 a.m., April 24, 2013: **SB 81.**

Signed by the Secretary of the Senate at 9:05 a.m., April 15, 2013: **SB 269.**

Signed by the Secretary of the Senate at 10:50 a.m., April 24, 2013: **SB 394**

Signed by the President at 2:00 p.m., April 24, 2013: **SB 269.**

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate:
SB 81, introduced by Lewis

4/24/2013

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Free Conference Committee Report No.1 **not** adopted:
SB 173, introduced by Keane

4/24/2013

Governor's amendments to **Senate bill not** concurred in, returned to the Senate: 4/24/2013
SB 337, introduced by Hamlett

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Wittich moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Senator Walker in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 26 - Senator T. Brown moved **HJR 26** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Mr. President.
Total 38

Nays: Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Kaufmann, Ripley, Sales, Thomas, Walker, Webb, Wittich.
Total 12

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HJR 25 - Senator F. Moore moved **HJR 25** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Rosendale, Sonju, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 26

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Ripley, Sales, Sesso, Stewart-Peregoy, Taylor, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 24

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

HJR 30 - Senator T. Brown moved **HJR 30** be concurred in. Motion carried as follows:

Yeas: Arntzen, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Priest, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Van Dyk, Vincent, Vuckovich, Windy Boy, Mr. President.

Total 38

Nays: Arthun, D. Brown, Facey, Kaufmann, Phillips, Ripley, Sales, Tutvedt, Walker, Wanzenried, Webb, Wittich.

Total 12

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 120 - Free Conference Committee Report No. 1 - Senator Wittich moved the Free Conference Committee report to **HB 120** be adopted. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Wanzenried, Webb, Wittich, Mr. President.

Total 47

Nays: Stewart-Peregoy, Vuckovich, Windy Boy.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 96 - Free Conference Committee Report No. 1 - Senator Tutvedt moved the Free

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Conference Committee report to **SB 96** be adopted. Motion carried as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jent, Jones, Larsen, Lewis, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Webb, Mr. President.

Total 34

Nays: Augare, Barrett Dick, Caferro, Driscoll, Facey, Jergeson, Kaufmann, Keane, Malek, Moore, Sesso, Stewart-Peregoy, Vuckovich, Wanzenried, Windy Boy, Wittich.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 348 - Free Conference Committee Report No. 1 - Senator Thomas moved the Free Conference Committee report to **SB 348** be adopted. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Sesso, Stewart-Peregoy, Thomas, Tropila, Van Dyk, Vuckovich, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 41

Nays: D. Brown, Jackson, Rosendale, Sales, Sonju, Taylor, Tutvedt, Vincent, Walker.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 28 - Senator Thomas moved consideration of **SB 28** be placed at the bottom of the second reading board. Without objection, so ordered.

SB 337 - Governor's Amendments - Senator Hamlett moved Governor's amendments to **SB 337** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson,

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Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Mr. President.

Total 46

Nays: Moore, Olson, Sales, Wittich.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 28 - Governor's Amendments - Senator Thomas moved Governor's amendments to **SB 28** be concurred in. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senator Wittich moved the committee **rise, report progress, and beg leave to sit again**. Motion Carried. Committee arose. Senate resumed. President Essmann presiding. Chair Walker moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 46

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Nays: Blewett, Kaufmann, Tropila, Wanzenried.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 335, as amended by the House, passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 562, as amended by the Governor, concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Sonju, Stewart-Peregoy, Taylor, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Wittich.

Total 36

Nays: Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Ripley, Rosendale, Sales, Sesso, Thomas, Walker, Webb, Mr. President.

Total 14

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 497, Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jent, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 31

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 198, Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Mr. President.

Total 47

Nays: Augare, Fielder, Wittich.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 223, Conference Committee Report No. 1, adopted as follows:

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Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 385, as amended by the Governor, concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 633 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Hamlett, Jackson, Jones, Kaufmann, Keane, Larsen, Olson, Peterson, Phillips, Priest, Sesso, Sonju, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Windy Boy.

Total 33

Nays: Facey, Jent, Jergeson, Lewis, Malek, Moore, Murphy, Ripley, Rosendale, Sales, Taylor,

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Thomas, Walker, Wanzenried, Webb, Wittich, Mr. President.

Total 17

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 97, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 48

Nays: Kaufmann, Tropila.

Total 2

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 342, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Mr. President.

Total 39

Nays: Barrett Debby, Boulanger, Brenden, Jackson, Moore, Priest, Rosendale, Sales, Sonju, Webb, Wittich.

Total 11

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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HB 431, Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 50

Nays: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 148, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 30

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried.

Total 20

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 305, Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jergeson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, Wittich, Mr. President.

Total 31

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Nays: Augare, Barrett Dick, Blewett, Brenden, Caferro, Driscoll, Facey, Jent, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Wanzenried, Windy Boy.
Total 19

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 215, as amended by the House, passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 49

Nays: Fielder.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 218, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 48

Nays: Kaufmann, Wanzenried.
Total 2

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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HB 240, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jones, Lewis, Moore, Murphy, Olson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich.
Total 28

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Mr. President.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SJR 18, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jent, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Rosendale, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 29

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Ripley, Sales, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 21

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 323, Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jergeson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 32

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Jent, Kaufmann, Keane, Larsen,

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Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 274, as amended by the Governor, concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 45

Nays: Blewett, Caferro, Kaufmann, Tropila, Van Dyk.

Total 5

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 359, as amended by the Governor, concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: Tropila.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SB 282, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jent, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.
Total 29

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Rosendale, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 21

Absent or not voting: None.
Total 0

Excused: None.
Total 0

HB 473, Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Larsen, Lewis, Murphy, Olson, Peterson, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Webb, Wittich.
Total 26

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Malek, Moore, Phillips, Priest, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Walker, Wanzenried, Windy Boy, Mr. President.
Total 24

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 297, as amended by the House, passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Hamlett, Jackson, Jones, Keane, Larsen, Lewis, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tutvedt, Vincent, Webb, Windy Boy.
Total 33

Nays: Barrett Dick, Blewett, Facey, Fielder, Jent, Jergeson, Kaufmann, Malek, Priest,

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Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Walker, Wanzenried, Wittich, Mr. President.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 173, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Brenden, D. Brown, Caferro, Driscoll, Hamlett, Jones, Kaufmann, Keane, Larsen, Malek, Phillips, Ripley, Sesso, Stewart-Peregoy, Taylor, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 26

Nays: Arntzen, Boulanger, T. Brown, Buttrey, Facey, Fielder, Jackson, Jent, Jergeson, Lewis, Moore, Murphy, Olson, Peterson, Priest, Rosendale, Sales, Sonju, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.
Total 24

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MOTIONS

Majority Leader Wittich moved the Senate suspend its rules and move all bills on second reading this date to third reading this date. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Wittich, Mr. President.
Total 49

Nays: Windy Boy.
Total 1

Absent or not voting: None.
Total 0

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Excused: None.

Total 0

Majority Leader Wittich moved the Senate recess for a brief period to prepare the vote board for the additional third-reading bills. Without objection, so ordered.

Senate recessed at 11:13 a.m. Senate reconvened at 11:29 a.m. President Essmann presiding. All members present.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 26 concurred in as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Mr. President.

Total 42

Nays: Barrett Debby, Boulanger, Brenden, D. Brown, Ripley, Sales, Webb, Wittich.

Total 8

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HJR 25 concurred in as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Rosendale, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Mr. President.

Total 26

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Ripley, Sales, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy, Wittich.

Total 24

Absent or not voting: None.

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Total 0

Excused: None.

Total 0

HJR 30 concurred in as follows:

Yeas: Arntzen, Augare, Barrett Debby, Blewett, Boulanger, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Mr. President.

Total 41

Nays: Arthun, Barrett Dick, D. Brown, Facey, Kaufmann, Phillips, Sales, Webb, Wittich.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

HB 120, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Wanzenried, Webb, Wittich, Mr. President.

Total 46

Nays: Augare, Stewart-Peregoy, Vuckovich, Windy Boy.

Total 4

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 96, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Hamlett, Jackson, Jent, Jones, Larsen, Lewis, Moore, Murphy, Olson,

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Peterson, Priest, Ripley, Rosendale, Sonju, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Walker, Webb, Wittich, Mr. President.
Total 34

Nays: Augare, Barrett Dick, Caferro, Driscoll, Facey, Jergeson, Kaufmann, Keane, Malek, Phillips, Sales, Sesso, Stewart-Peregoy, Vuckovich, Wanzenried, Windy Boy.
Total 16

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 348, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Ripley, Sesso, Sonju, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Mr. President.
Total 45

Nays: Priest, Rosendale, Sales, Taylor, Wittich.
Total 5

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 28, as amended by the Governor, passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 50

Nays: None.
Total 0

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SB 337, as amended by the Governor, passed as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Mr. President.

Total 47

Nays: Moore, Sales, Wittich.

Total 3

Absent or not voting: None.

Total 0

Excused: None.

Total 0

MOTIONS

Senator Rosendale moved the Senate override the Governor's veto of **HB 522**.

Senator Blewett moved a **substitute motion** to table **HB 522**. Motion **failed** as follows:

Yeas: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 19

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jent, Jergeson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 31

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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Thereupon, the Senate reverted to the original motion of Senator Rosendale which **failed** as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Fielder, Jackson, Jent, Jergeson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Walker, Webb, Wittich, Mr. President.

Total 31

Nays: Augare, Barrett Dick, Blewett, Caferro, Driscoll, Facey, Hamlett, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Van Dyk, Vuckovich, Wanzenried, Windy Boy.

Total 19

Absent or not voting: None.

Total 0

Excused: None.

Total 0

MESSAGES FROM THE OTHER HOUSE

Free Conference Committee Report No.1 adopted: 4/24/2013

SB 96, introduced by Tutvedt

SB 148, introduced by L. Jones

Governor's amendments to Senate bill concurred in and returned to the Senate: 4/24/2013

SB 28, introduced by Thomas

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments. This bill is being returned after the deadline for appropriation bills and requires a two-thirds vote for the bill to be considered by the Senate. 4/24/2013

SB 410, introduced by Ripley

Senate amendments to House bills concurred in: 4/24/2013

HB 129, introduced by Gibson

HB 265, introduced by Fitzpatrick

Conference Committee Report No.1 adopted: 4/24/2013

HB 431, introduced by Knudsen

Free Conference Committee Report No.1 adopted: 4/24/2013

HB 120, introduced by Ingraham

HB 218, introduced by Ankney

HB 240, introduced by C. Smith

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Governor's amendments to House bills concurred in and transmitted to the Senate for concurrence in the Governor's amendments: 4/24/2013
HB 359, introduced by Fitzpatrick
HB 554, introduced by B. Smith

MOTIONS

Senator Wittich moved the Senate suspend its rules to accept the late transmittal of **SB 410**, as amended by the House, and that **SB 410** come before the Committee of the Whole this date. Motion **failed** (2/3 vote required) as follows:

Yeas: Arthun, Augare, Barrett Dick, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Windy Boy.
Total 27

Nays: Arntzen, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Wanzenried, Webb, Wittich, Mr. President.
Total 23

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senate recessed at 11:43 a.m. Senate reconvened at 1:39 p.m. Senator Essmann presiding. All members present.

MOTIONS

Senator Sesso moved the Senate suspend its rules to accept the late transmittal of **SB 410**, as amended by the House, and that **SB 410** come before the Committee of the Whole this date.

Senator Debby Barrett moved a **substitute motion** to adjourn sine die. Motion **failed** as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Windy Boy, Wittich.
Total 22

Nays: Augare, Barrett Dick, Blewett, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips,

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Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Mr. President.
Total 28

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Thereupon, the Senate reverted to the original motion of Senator Sesso which **failed** (2/3 vote required) as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, Brenden, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Ripley, Sales, Sesso, Sonju, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Mr. President.
Total 33

Nays: Barrett Debby, Boulanger, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Rosendale, Taylor, Thomas, Vincent, Walker, Webb, Windy Boy, Wittich.
Total 17

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SPECIAL ORDERS OF THE DAY

Senator Taylor thanked the Pages for their service this week, and thanked Joyce Nachtsheim, page supervisor this session, for her work.

SR 77 - Senator Priest moved that the nomination transmitted by the Governor be confirmed by the Senate in accordance with **SR 77**. The motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 49

Nays: Barrett Dick.
Total 1

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Absent or not voting: None.

Total 0

Excused: None.

Total 0

SR 68 - Senator Brenden moved that the nomination transmitted by the Governor be confirmed by the Senate in accordance with **SR 68**. The motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Rosendale, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 41

Nays: Barrett Debby, Boulanger, Brenden, D. Brown, Ripley, Sales, Sonju, Taylor, Thomas.

Total 9

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SR 69 - Senator Brenden moved that the nomination transmitted by the Governor be confirmed by the Senate in accordance with **SR 69**. The motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sales, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.

Total 49

Nays: Jackson.

Total 1

Absent or not voting: None.

Total 0

Excused: None.

Total 0

SR 70 - Senator Van Dyk moved that the nomination transmitted by the Governor be confirmed

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by the Senate in accordance with **SR 70**. The motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Moore, Peterson, Phillips, Priest, Ripley, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Windy Boy, Mr. President.
Total 38

Nays: Brenden, D. Brown, Jackson, Lewis, Murphy, Olson, Rosendale, Sales, Sonju, Taylor, Webb, Wittich.
Total 12

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SR 58 - Senator Jergeson moved that the nomination transmitted by the Governor be confirmed by the Senate in accordance with **SR 58**. The motion **failed** as follows:

Yeas: Augare, Barrett Dick, Blewett, T. Brown, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Kaufmann, Keane, Larsen, Malek, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 23

Nays: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, Buttrey, Fielder, Jackson, Jones, Lewis, Moore, Murphy, Olson, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.
Total 27

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Olson rose on a point of order. President Essmann responded to the question.

MOTIONS

Senator Sesso moved the Senate suspend its rules to accept the late transmittal of **SB 410**, as amended by the House, and that **SB 410** come before the Committee of the Whole this date.

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Senator Debby Barrett moved a **substitute motion** to adjourn sine die. Motion **failed** as follows:

Yeas: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 23

Nays: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried.

Total 27

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Thereupon, the Senate reverted to the original motion of Senator Sesso which **failed** as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Sales, Sesso, Sonju, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Mr. President.

Total 32

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Ripley, Rosendale, Taylor, Thomas, Walker, Webb, Wittich.

Total 18

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Senate recessed for a brief period. Senate reconvened at 2:27 p.m. President Essmann presiding. All members present.

MOTIONS

Senator Priest moved the Senate suspend its rules to accept the late transmittal of **SB 410**, as amended by the House, and that **SB 410** come before the Committee of the Whole this date.

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Senator Ripley moved a **substitute motion** to adjourn sine die. Motion **failed** as follows:

Yeas: Arntzen, Arthun, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Peterson, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Windy Boy, Wittich.
Total 24

Nays: Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Phillips, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Mr. President.
Total 26

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Thereupon, the Senate reverted to the original motion of Senator Priest which carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Priest, Sales, Sesso, Sonju, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Wanzenried, Windy Boy, Mr. President.
Total 37

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Jackson, Moore, Ripley, Rosendale, Taylor, Walker, Webb, Wittich.
Total 13

Absent or not voting: None.
Total 0

Excused: None.
Total 0

Senator Wittich moved the Senate recess to allow for distribution of material to members' desks. Without objection so ordered.

Senate recessed at 2:32 p.m. Senate reconvened at 2:42 p.m. President Essmann presiding. All members present.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Senator Wittich moved the Senate resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Senator Walker in the chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 206 - Conference Committee Report No. 1 - Senator Sales moved the Conference Committee report to **HB 206** be adopted. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Taylor, Tutvedt, Van Dyk, Vuckovich, Wanzenried.
Total 30

Nays: Barrett Debby, Blewett, Boulanger, Brenden, D. Brown, Caferro, Moore, Priest, Ripley, Rosendale, Sales, Sonju, Thomas, Tropila, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.
Total 20

Absent or not voting: None.
Total 0

Excused: None.
Total 0

SB 410 - House Amendments - Senator Ripley moved House amendments to **SB 410** be concurred in. Motion carried as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 29

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.
Total 21

Absent or not voting: None.
Total 0

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Excused: None.

Total 0

Senator Wittich moved the committee **rise and report**. Motion Carried. Committee arose. Senate resumed. President Essmann presiding. Chair Walker moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Sesso, Stewart-Peregoy, Thomas, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried.

Total 34

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Moore, Rosendale, Sales, Sonju, Taylor, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 16

Absent or not voting: None.

Total 0

Excused: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 206, Conference Committee Report No. 1, adopted as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Murphy, Olson, Peterson, Phillips, Sesso, Stewart-Peregoy, Van Dyk, Vuckovich, Wanzenried.

Total 29

Nays: Barrett Debby, Boulanger, Brenden, D. Brown, Caferro, Moore, Priest, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tropila, Tutvedt, Vincent, Walker, Webb, Windy Boy, Wittich, Mr. President.

Total 21

Absent or not voting: None.

Total 0

Excused: None.

Total 0

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SB 410, as amended by the House, passed as follows:

Yeas: Arthun, Augare, Barrett Dick, Blewett, T. Brown, Buttrey, Driscoll, Facey, Hamlett, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Malek, Olson, Peterson, Phillips, Ripley, Sesso, Stewart-Peregoy, Tropila, Tutvedt, Van Dyk, Vuckovich, Wanzenried, Windy Boy.
Total 28

Nays: Arntzen, Barrett Debby, Boulanger, Brenden, D. Brown, Caferro, Fielder, Jackson, Lewis, Moore, Murphy, Priest, Rosendale, Sales, Sonju, Taylor, Thomas, Vincent, Walker, Webb, Wittich, Mr. President.
Total 22

Absent or not voting: None.
Total 0

Excused: None.
Total 0

MOTIONS

Senator Dick Barrett moved to change his vote on **SR 77** from No to Yes. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

Minority Leader Sesso and Majority Leader Wittich made closing remarks to the Senate.

Majority Leader Wittich moved that the Senate adjourn Sine Die. Motion carried as follows:

Yeas: Arntzen, Arthun, Augare, Barrett Debby, Barrett Dick, Blewett, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Driscoll, Facey, Fielder, Hamlett, Jackson, Jent, Jergeson, Jones, Kaufmann, Keane, Larsen, Lewis, Malek, Moore, Murphy, Olson, Peterson, Phillips, Priest, Ripley, Rosendale, Sesso, Sonju, Stewart-Peregoy, Taylor, Thomas, Tropila, Tutvedt, Van Dyk, Vincent, Vuckovich, Walker, Wanzenried, Webb, Windy Boy, Wittich, Mr. President.
Total 49

Nays: Sales.
Total 1

Absent or not voting: None.
Total 0

Excused: None.
Total 0

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Senate adjourned Sine Die at 3:09 p.m.

MARILYN MILLER
Secretary of the Senate

JEFF ESSMANN
President of the Senate